

REMARKS

Upon entry of this amendment, claims 15-28 are pending. By the present amendment, the specification has been amended to correct the informalities noted by the Examiner, claims 1-14 have been canceled without prejudice and claims 15-28 have been added.

The objections to the specification are respectfully traversed. Without acquiescing in the objections, it is noted that claims 1-14 have been canceled without prejudice, and new claims 15-28 have been added. The subject matter of newly added claims 15-28 substantially parallels that of originally filed claims 1-14, respectively, but with changes made to more closely conform the claims to U.S. practice. The objection in numbered paragraph 3 of the Office Action is not understood. In particular, reference to French patent application number 98 09358 appears to be a reference to background art and setting forth the deficiencies thereof. It does not appear to be an incorporation of essential subject matter by reference. With respect to PCT WO 96/12258, this reference has been deleted. Accordingly, all objections to the specification have been overcome, and reconsideration and withdrawal thereof are respectfully requested.

Submitted herewith is a substitute set of drawings correcting and overcoming the objections set forth in the Office Action. However, it is noted that many of the reference numerals alleged in the Office Action as being absent from the specification do, in fact appear in the specification. With respect to reference numeral 55, that it is found in the specification at page 5, line 23 and denotes a cordless microphone; reference numeral 701

appears at page 11, line 7 and designates a user page; in Figure 3, reference numerals 5, 6, 61, 53 and 54 (not 34) are found respectively at page 3, line 35 (sound control circuit), page 4, line 1 (display means circuit), page 5, line 6 (television screen), page 4, line 20 (amplifier tuner) and page 4, line 19 (loundspeakers). Reference 8529 is found at page 14, line 13 and designates a step for recording or downloading. Accordingly, all objections to the drawings are overcome, and reconsideration and withdrawal thereof are respectfully requested.

The rejection of claims 1-14 under 35 U.S.C. § 112, second paragraph is respectfully traversed. Without acquiescing in the rejection, claims 1-14 have been canceled without prejudice, and new claims 15-28 containing substantially similar subject matter to canceled claims 1-14, respectively, and more closely conforming to U.S. practice, have been substituted therefor. Accordingly, the rejection is moot, and reconsideration and withdrawal thereof are respectfully requested.

The rejection of claims 1-14 under 35 U.S.C. § 103(a) over Nathan (U.S. Patent No. 6,336,219, hereinafter) and further in view of Kleiman (U.S. Patent No. 5,959,945) is respectfully traversed. Without acquiescing in the rejection, claims 1-14 have been canceled without prejudice, and replaced with new claims 1-15 that more closely conform to U.S. practice. Accordingly, the rejection will be discussed with respect to the pending claims.

Nathan is directed to a method of communications for an intelligent digital audiovisual playback system. In particular, Nathan discloses a digital jukebox system for

reproducing audiovisual records chosen by a user. This jukebox includes a function to adjust the volume in different areas of the loudspeakers, and telecommunications menus allowing the downloading of audiovisual records from a host server. The jukebox of Nathan further enables the user to buy entry tickets for an artistic event. However, there is no teaching or suggestion in Nathan of enabling the user (*i.e.*, the person selecting items at a jukebox) to execute songs at a given time and date on one or more jukeboxes. Quite to the contrary, Nathan specifically teaches that only the manager or operator (of the system to which the jukebox belongs) of the jukebox can order the reproduction system connected to the host server play a particular song at a particular time.

Kleiman is directed to a system for selectively distributing music to a plurality of jukeboxes. Kleiman teaches a jukebox system including a server and a plurality of jukeboxes communicating via a telecommunications system. The server broadcasts a list of songs available to each jukebox of the system, then the users of the jukeboxes download the songs chosen from the list. The songs are encrypted during downloading.

There is no teaching or suggestion in either Nathan or Kleiman of allowing or enabling the user (*i.e.*, selector) to select a song and order it so that the song can be played on a given date on a given jukebox or on several given jukeboxes. The claimed invention, on the other hand, specifically recites that the user can choose the date, time and place of the execution at his request. Moreover, there is no teaching or suggestion in the cited references of the claimed feature of providing the ability of the user to record a voice message to be played before the song to be played, or of the ability of the user to

select the execution of a song on one jukebox and order its execution at a deferred time on another jukebox. Additionally, the claimed invention enables the user to order a song or special request from a location other than a jukebox, *e.g.*, a personal computer or other terminal via the Internet. This feature is not disclosed or suggested in either Nathan or Kleiman.

Therefore, it is respectfully submitted that neither Nathan nor Kleiman, either singly or in combination, disclose, teach or suggest the features of the claimed invention. Accordingly, even if, *arguendo*, the combination of Nathan and Kleiman were proper, the combination nevertheless fails to render the claimed invention obvious. Thus, reconsideration and withdrawal of the rejection are respectfully requested.

In view of the foregoing, it is respectfully submitted that the entire application is in condition for allowance. Favorable reconsideration of the application and prompt allowance of the claims are earnestly solicited.

Should the Examiner deem that further issues require resolution prior to allowance, the Examiner is invited to contact the undersigned attorney of record at the telephone number set forth below.

Respectfully submitted,

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MARKED-UP VERSION OF AMENDED SPECIFICATION PARAGRAPHS

Page 10, indented paragraph at lines 6-10:

- a "WBUTTON.DJO" objects file 885 that defines and manages buttons that are used on the main page screen such as the control buttons used in [the] a typical graphic interface [defined in patent application PCT WO 96/12258],

Pages 10-12, paragraph beginning at page 10, line 28 to page 12, line 15:

The JSTRUCT.DJL module 85 will run module 851 called the "disc-jockey" the function of which will be described below in relation to Figure 3, when an event occurs corresponding to the end of song selection. Depending on the detected event, the same JSTRUCT.DJL module may start the request processing module 852, the function of which will be described below in relation with Figure 4. This same request processing module 852 is also installed on the host server 100 (Figure 3) to allow a user 601 connected to the server through a terminal 600 and the Internet network 400 to order a selection in advance. A music artist 501 can also use a terminal 500 connected to the server 100 through the Internet network 300 to make a special request for promotion of a song to be executed on several jukeboxes at a given time of a given day. Finally, a user 701 in a room equipped with one or several jukeboxes can make a selection of songs or

special requests for advance orders of a selection or a special event, himself or on the jukebox 10. Song selection requests are loaded into the songs queue 840, and advance orders of a selection or a special event requests are loaded into a file 841 containing special requests and all information necessary to process these special requests. The server 100 will also include a file 141 storing these special requests until the time that the server makes a transmission to the specific jukebox or the set of specific jukeboxes to which one or several requests are applicable. This transmission is made through a network 200, for example a telecommunications network. The disc-jockey module [551] 851 executes a first step 8511 in which it looks in the jukebox file 841 to find any special requests for the current time and the current date. If it finds any, the disc-jockey executes this request at step 8512 and starts reproduction of the selection ordered in advance and the individual message, if any. At the end of this operation, the disc-jockey checks, in step 8513, to *see* if there are any songs ordered in advance, or goes onto the next song stored in the queue in the file 840. In step 8514, the disc-jockey starts execution of this song. The disc-jockey then loops back 8515 to the first step 8511. The special requests processing program module 852 comprises means of producing a display as shown in Figure 4 asking the user in front of the jukebox or a terminal connected to the Internet, in step 8521, if he would like to select a song in step 8520, or if he would like to make a special request. If he would like to make a special request, the program will use the object modules described above to display windows in which the user can define the jukebox address in step 8522, or select this address in a list downloaded by the server.

The user will thus define either the jukebox for which he knows the address, or the jukebox that he selects in the list closest to the person to whom he wishes to offer the selection in his advance order. In the next step, 8523, the program displays screens that the user can use to enter the name of the person sending the song and the name of the person receiving it. In step 8524, the program displays windows in which the date and time at which the selection will be executed can be defined.